

106TH CONGRESS
2D SESSION

H. R. 4745

To amend the National Environmental Education Act to redesignate the Act as the “John H. Chafee Environmental Education Act”, to establish the John H. Chafee Memorial Fellowship Program, to extend the programs under the Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2000

Mr. CASTLE (for himself, Mr. KILDEE, Mr. DEAL of Georgia, Mr. GREENWOOD, Mrs. ROUKEMA, Mr. NORWOOD, Mr. WALSH, Mr. BOEHLERT, Mr. HOLT, and Mr. UPTON) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the National Environmental Education Act to redesignate the Act as the “John H. Chafee Environmental Education Act”, to establish the John H. Chafee Memorial Fellowship Program, to extend the programs under the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES; AND TABLE OF**
4 **CONTENTS.**

5 (a) THIS ACT.—This Act may be cited as the “John
6 H. Chafee Environmental Education Act of 2000”.

1 (b) NATIONAL ENVIRONMENTAL EDUCATION ACT.—
 2 Section 1(a) of the National Environmental Education Act
 3 (20 U.S.C. 5501(a)) is amended by striking “National En-
 4 vironmental Education Act” and inserting “John H.
 5 Chafee Environmental Education Act”.

6 (c) TABLE OF CONTENTS.—Section 1(b) of the John
 7 H. Chafee Environmental Education Act (20 U.S.C.
 8 5501(b)) is amended to read as follows:

9 “(b) TABLE OF CONTENTS.—

“Sec. 1. Short title and table of contents.

“Sec. 2. Findings.

“Sec. 3. Definitions.

“Sec. 4. Office of Environmental Education.

“Sec. 5. Environmental education and training program.

“Sec. 6. Environmental education grants.

“Sec. 7. John H. Chafee Memorial Fellowship Program.

“Sec. 8. Environmental education awards.

“Sec. 9. Environmental Education Advisory Council and Task Force.

“Sec. 10. National Environmental Learning Foundation.

“Sec. 11. Accountability.

“Sec. 12. Authorization of appropriations.”.

10 **SEC. 2. FINDINGS.**

11 Section 2(a) of the John H. Chafee Environmental
 12 Education Act (20 U.S.C. 5502(a)) is amended to read
 13 as follows:

14 “(a) FINDINGS.—The Congress finds the following:

15 “(1) The most effective environmental edu-
 16 cation is fair and accurate in its treatment of envi-
 17 ronmental issues and is based on sound scientific
 18 principles.

1 “(2) Education and learning about the environ-
2 ment are central to protecting the Nation’s natural
3 resources and human health.

4 “(3) Environmental education develops an im-
5 portant base of knowledge and skills that can en-
6 courage life-long learning in related areas of national
7 interest, such as mathematics, science, and medicine.

8 “(4) Environmental education fosters awareness
9 of the natural and built environment, an under-
10 standing of complex environmental concepts, condi-
11 tions, and issues and provides all learners with the
12 skills to make an independent, informed analysis of
13 environmental issues.

14 “(5) Balanced and scientifically based environ-
15 mental education provides students of all ages with
16 the resources and the opportunities to explore be-
17 yond the classroom and focuses learning on the
18 interdisciplinary nature of environmental issues and
19 conditions.

20 “(6) In attempting to improve public awareness
21 of environmental issues, the Government can best
22 assure that the available information is science-
23 based, balanced, and age-appropriate.”.

1 **SEC. 3. DEFINITIONS.**

2 Section 3 of the John H. Chafee Environmental Edu-
3 cation Act (20 U.S.C. 5502) is amended—

4 (1) by striking paragraph (12) and inserting
5 the following:

6 “(12) ‘Foundation’ means the National Envi-
7 ronmental Learning Foundation established by sec-
8 tion 10; and”;

9 (2) in paragraph (13), by striking “National
10 Environmental Education and Training Founda-
11 tion.” and inserting “Foundation;”; and

12 (3) by adding at the end the following para-
13 graphs:

14 “(14) ‘Science Advisory Board’ means the
15 Science Advisory Board of the Agency established by
16 section 8 of the Environmental Research, Develop-
17 ment, and Demonstration Authorization Act of 1978
18 (42 U.S.C. 4365);

19 “(15) ‘sponsoring institution’ means an institu-
20 tion of higher education (as defined in section 101
21 of the Higher Education Act of 1965 (20 U.S.C.
22 1001)) with a graduate curriculum in environmental
23 studies or environmental education;

24 “(16) ‘elementary school’ has the meaning
25 given the term in section 14101 of the Elementary

1 and Secondary Education Act of 1965 (20 U.S.C.
2 8801); and

3 “(17) ‘secondary school’ has the meaning given
4 the term in section 14101 of the Elementary and
5 Secondary Education Act of 1965 (20 U.S.C.
6 8801).”.

7 **SEC. 4. OFFICE OF ENVIRONMENTAL EDUCATION.**

8 Section 4 of the John H. Chafee Environmental Edu-
9 cation Act (20 U.S.C. 5503) is amended—

10 (1) in subsection (b)—

11 (A) in paragraph (1), by inserting “bal-
12 anced and scientifically based” after “develop
13 and support”;

14 (B) in paragraph (2), by inserting “bal-
15 anced and scientifically based” before “model
16 curricula”;

17 (C) in paragraph (3), by striking “and”
18 after “State agencies,” and by inserting “busi-
19 ness or industry representatives,” after “non-
20 commercial educational broadcasting entities,”;

21 (D) in paragraph (4), by inserting “bal-
22 anced and scientifically based” before “semi-
23 nars”;

24 (E) in paragraph (6), by striking “intern-
25 ship and”;

1 (F) in paragraph (9), by inserting “bal-
 2 anced and scientifically based” before “training
 3 programs”; and

4 (G) in paragraph (13), by inserting before
 5 the period at the end the following: “through
 6 the headquarters and the regional offices of the
 7 Agency”; and

8 (2) by striking subsection (c) and inserting the
 9 following:

10 “(c) STAFF.—The Office of Environmental Edu-
 11 cation shall—

12 “(1) include a headquarters staff of not more
 13 than 10 full-time equivalent employees; and

14 “(2) be supported by 1 full-time equivalent em-
 15 ployee in each regional office of the Agency.

16 “(d) ACTIVITIES.—The Administrator may carry out
 17 the activities described in subsection (b) directly or
 18 through awards of grants, cooperative agreements, or con-
 19 tacts.”.

20 **SEC. 5. ENVIRONMENTAL EDUCATION AND TRAINING PRO-**
 21 **GRAM.**

22 Section 5(b) of the John H. Chafee Environmental
 23 Education Act (20 U.S.C. 5504(b)) is amended by insert-
 24 ing before the first sentence the following: “The environ-
 25 mental education and training program funded under this

1 Act shall be of sufficient intensity and duration to have
2 a positive and lasting impact on program participants.”.

3 **SEC. 6. ENVIRONMENTAL EDUCATION GRANTS.**

4 (a) **ELIGIBLE ACTIVITIES.**—Section 6(b) of the John
5 H. Chafee Environmental Education Act (20 U.S.C.
6 5505(b)) is amended—

7 (1) by redesignating paragraphs (3) through
8 (5) as paragraphs (5) through (7), respectively; and

9 (2) by inserting after paragraph (2) the fol-
10 lowing new paragraphs:

11 “(3) design, demonstration, or dissemination of
12 education and training programs to support the de-
13 velopment of more environmentally effective business
14 practices and employees;

15 “(4) design, demonstration, or dissemination of
16 projects that employ the environment as an inte-
17 grating context for education in science, mathe-
18 matics, social studies and language arts;”.

19 (b) **LIMITATION ON GRANTS.**—The second sentence
20 of section 6(i) of such Act is amended by striking
21 “\$5,000” and inserting “\$10,000”.

22 (c) **LOBBYING ACTIVITIES AND GUIDANCE RE-**
23 **VIEW.**—Section 6 of such Act is amended by adding at
24 the end the following:

1 “(j) LOBBYING ACTIVITIES.—A grant under this sec-
 2 tion may not be used to support lobbying activities (as
 3 described in the documents issued by the Office of Man-
 4 agement and Budget and designated as OMB Circulars
 5 No. A–21 and No. A–122).

6 “(k) GUIDANCE REVIEW.—Before the Administrator
 7 issues any guidance to grant applicants, the guidance shall
 8 be reviewed and approved by the Science Advisory Board.
 9 Guidance to grant applications shall be deemed approved
 10 by the Science Advisory Board if the Science Advisory
 11 Board has not responded within 90 days after receipt of
 12 a request to review guidance.”.

13 **SEC. 7. JOHN H. CHAFEE MEMORIAL FELLOWSHIP PRO-**
 14 **GRAM.**

15 Section 7 of the John H. Chafee Environmental Edu-
 16 cation Act (20 U.S.C. 5506) is amended to read as follows:

17 **“SEC. 7. JOHN H. CHAFEE MEMORIAL FELLOWSHIP PRO-**
 18 **GRAM.**

19 “(a) ESTABLISHMENT.—There is established the
 20 John H. Chafee Memorial Fellowship Program for the
 21 award and administration of 5 annual, 1-year graduate
 22 education fellowships in environmental studies, to be
 23 known as ‘John H. Chafee Memorial Fellowships’.

24 “(b) PURPOSE.—The purpose of the John H. Chafee
 25 Memorial Fellowship Program is to recognize outstanding

1 scholarship in environmental studies and encourage inde-
2 pendent graduate level research on innovative approaches
3 to address the problems that stem from the natural and
4 built environment.

5 “(c) AWARD.—Each John H. Chafee Memorial Fel-
6 lowship award—

7 “(1) shall be made available to individual can-
8 didates to attend a sponsoring institution and in ac-
9 cordance with an annual competitive selection proc-
10 ess established under subsection (f)(2); and

11 “(2) shall be in the amount of \$25,000.

12 “(d) DURATION.—An individual may not receive an
13 John H. Chafee Memorial Fellowship award for 2 consecu-
14 tive years.

15 “(e) USE OF FELLOWSHIP.—Each individual award-
16 ed a John H. Chafee Memorial Fellowship shall focus on
17 the study of—

18 “(1) resource management;

19 “(2) open space preservation;

20 “(3) international environmental issues, such as
21 global climate change and sustainable marine re-
22 sources; or

23 “(4) any other environmental issue that a spon-
24 soring institution determines to be appropriate.

25 “(f) ADMINISTRATION OF GRANTS.—

1 “(1) IN GENERAL.—Subject to the provisions of
2 paragraph (2), the Administrator shall establish and
3 administer the John H. Chafee Memorial Fellowship
4 Program.

5 “(2) SELECTION OF GRANT RECIPIENTS.—The
6 Advisory Council established under section 9, shall—

7 “(A) establish criteria for a competitive se-
8 lection process for recipients of the John H.
9 Chafee Memorial Fellowships;

10 “(B) receive applications for the John H.
11 Chafee Memorial Fellowships;

12 “(C) annually review applications and se-
13 lect recipients of the John H. Chafee Memorial
14 Fellowships; and

15 “(D) annually report the names of the
16 award recipients to the Administrator.

17 “(g) DISTRIBUTION OF FUNDS.—The amount of
18 each John H. Chafee Memorial Fellowship shall be pro-
19 vided directly to each recipient selected by the Advisory
20 Council upon receipt of certification that the recipient will
21 adhere to a specific and detailed plan of study and re-
22 search approved by the sponsoring institution.

23 “(h) FUNDING.—From the amounts made available
24 under section 11(b)(1)(C) for each fiscal year, the Admin-

1 istrator shall make available \$125,000 for John H. Chafee
2 Memorial Fellowships.

3 “(i) FELLOWSHIP REPAYMENT PROVISIONS.—Re-
4 payment of the award shall be made to the Administrator
5 in the case of fraud or noncompliance as determined by
6 the Advisory Council.”.

7 **SEC. 8. NATIONAL ENVIRONMENTAL EDUCATION AWARDS.**

8 Section 8 of the John H. Chafee Environmental Edu-
9 cation Act (20 U.S.C. 5507) is amended to read as follows:

10 **“SEC. 8. NATIONAL ENVIRONMENTAL EDUCATION AWARDS.**

11 “(a) PRESIDENT’S ENVIRONMENTAL EDUCATION
12 YOUTH ACHIEVEMENT AWARDS.—The Administrator
13 shall establish a recognition program for the granting and
14 administration of awards, to be known as the ‘President’s
15 Environmental Education Youth Achievement Awards’, to
16 young people in grades 6 through 12 to recognize out-
17 standing projects that promote local environmental aware-
18 ness. Priority consideration shall be given to projects that
19 demonstrate the use of service or experiential learning.

20 “(b) PRESIDENT’S ENVIRONMENTAL EDUCATION
21 TEACHER ACHIEVEMENT AWARDS.—

22 “(1) IN GENERAL.—The Chairman of the
23 Council on Environmental Quality (referred to in
24 this section as ‘the Chairman’), on behalf of the
25 President, shall establish a program for the granting

1 and administration of awards to recognize and
2 reward—

3 “(A) teachers in elementary and secondary
4 schools who demonstrate excellence in providing
5 a balanced, scientifically based, and age-appro-
6 priate environmental education through innova-
7 tive approaches, such as service or experiential
8 learning; and

9 “(B) the local educational agencies that
10 employ such teachers.

11 “(2) ELIGIBILITY.—One teacher, and the local
12 educational agency employing the teacher, from each
13 State, the District of Columbia, and the Common-
14 wealth of Puerto Rico, shall be eligible to be selected
15 for an award under this subsection.

16 “(3) CASH AWARDS.—

17 “(A) The Chairman is authorized to pro-
18 vide a cash award of up to \$2,500 to each
19 teacher selected to receive an award pursuant
20 to this subsection, which shall be used to fur-
21 ther the recipient’s professional development in
22 environmental education.

23 “(B)(i) The Chairman is also authorized to
24 provide a cash award of up to \$2,500 to the
25 local educational agency employing any teacher

1 selected to receive an award pursuant to this
 2 subsection, which shall be used to fund environ-
 3 mental educational activities and programs.

4 “(ii) Such awards shall not be used for
 5 construction costs, general expenses, salaries,
 6 bonuses, or other administrative expenses.

7 “(c) PRESIDENT’S ENVIRONMENTAL EDUCATION
 8 BUSINESS ACHIEVEMENT AWARDS.—The Administrator
 9 shall establish a recognition program for the granting and
 10 administration of awards, to be known as the ‘President’s
 11 Environmental Education Business Achievement Awards’,
 12 to recognize outstanding achievements by a business or in-
 13 dustry in improving business environmental performance
 14 through training and education programs.”.

15 **SEC. 9. ENVIRONMENTAL EDUCATION ADVISORY COUNCIL**
 16 **AND TASK FORCE.**

17 Section 9 of the John H. Chafee Environmental Edu-
 18 cation Act (20 U.S.C. 5508) is amended—

19 (1) in subsection (b)(1), by inserting after the
 20 second sentence the following: “The Advisory Coun-
 21 cil shall select the recipients of the John H. Chafee
 22 Memorial Fellowships in accordance with the provi-
 23 sions of section 7.”;

24 (2) in subsection (b), by striking paragraph (2)
 25 and inserting the following:

1 “(2) MEMBERSHIP.—

2 “(A) IN GENERAL.—The Administrator,
3 after consultation with the Secretary, shall ap-
4 point not more than a total of 11 members to
5 the Advisory Council.

6 “(B) REPRESENTATIVE OF THE NATIONAL
7 ENVIRONMENTAL LEARNING FOUNDATION.—
8 The Administrator shall appoint to the Advisory
9 Council a representative of the National Envi-
10 ronmental Learning Foundation.

11 “(C) REPRESENTATIVES OF SECTORS.—

12 “(i) ADDITIONAL REPRESENTA-
13 TIVES.—To the maximum extent prac-
14 ticable, the Administrator shall appoint not
15 more than 10 additional members to the
16 Advisory Council to represent each of the
17 following sectors:

18 “(I) Elementary and secondary
19 schools;

20 “(II) Colleges and universities;

21 “(III) Not-for-profit organiza-
22 tions involved in environmental edu-
23 cation;

24 “(IV) State departments of edu-
25 cation and natural resources;

1 “(V) Business and industry; and

2 “(VI) Senior Americans.

3 “(ii) SECTOR REPRESENTATIVES.—

4 The Administrator shall ensure that each
5 sector referred to in clause (i) is rep-
6 resented by at least 1 member to the Advi-
7 sory Council.

8 “(D) REPRESENTATIVE OF THE SEC-
9 RETARY.—A representative of the Secretary
10 shall serve as an ex officio member of the Advi-
11 sory Council.

12 “(E) CONFLICT OF INTEREST.—The con-
13 flict of interest provision at section 208(a) of
14 title 18, United States Code, shall not apply to
15 members’ participation in particular matters
16 which affect the financial interests of employers
17 which they represent pursuant to this sub-
18 section.”;

19 (3) in subsection (c), by striking paragraph (2)
20 and inserting the following:

21 “(2) FEDERAL PARTICIPATION.—Membership
22 on the Task Force shall be open to representatives
23 of any Federal agency actively involved in environ-
24 mental education.”; and

1 (4) in subsection (d), by striking “(d)(1)” and
 2 all that follows through “(2) The” and inserting the
 3 following:

4 “(d) MEETINGS AND REPORTS.—

5 “(1) IN GENERAL.—The Advisory Council
 6 shall—

7 “(A) hold annual meetings to select the re-
 8 cipients of the John H. Chafee Memorial Fel-
 9 lowships;

10 “(B) hold biennial meetings on timely
 11 issues regarding environmental education,
 12 which meetings may be combined with the
 13 meeting specified in subparagraph (A); and

14 “(C) issue a report describing the pro-
 15 ceedings of each biennial meeting and rec-
 16 ommendations resulting from the meeting.

17 “(2) REVIEW AND COMMENT ON DRAFT RE-
 18 PORTS.—The”.

19 **SEC. 10. NATIONAL ENVIRONMENTAL LEARNING FOUNDA-**
 20 **TION.**

21 (a) CHANGE IN NAME.—Section 10 of the John H.
 22 Chafee Environmental Education Act (20 U.S.C. 5509)
 23 is amended—

24 (1) by striking the section heading and insert-
 25 ing the following:

1 **“SEC. 10. NATIONAL ENVIRONMENTAL LEARNING FOUNDA-**
2 **TION.”;**

3 (2) in the first sentence of subsection (a)(1)(A),
4 by striking “National Environmental Education and
5 Training Foundation” and inserting “National Envi-
6 ronmental Learning Foundation”; and

7 (3) in subsection (b)(2)(B), by striking “Edu-
8 cation and Labor” and all that follows through
9 “Representatives” and inserting the following:
10 “Committee on Education and the Workforce, and
11 the Committee on Commerce of the House of Rep-
12 resentatives”.

13 (b) NUMBER OF DIRECTORS.—Section 10(b)(1)(A)
14 of the John H. Chafee Environmental Education Act (20
15 U.S.C. 5509(b)(1)(A)) is amended in the first sentence by
16 striking “13” and inserting “19”.

17 (c) ACKNOWLEDGMENT OF DONORS.—Paragraph (3)
18 of section 10(d) of the John H. Chafee Environmental
19 Education Act (20 U.S.C. 5509(d)(3)) is amended to read
20 as follows:

21 “(3) ACKNOWLEDGMENT OF DONORS.—The
22 Foundation may acknowledge receipt of donations by
23 means of a listing of the names of donors, which
24 may include the use of a logo, letterhead, or other
25 commercial symbol, in materials distributed by the
26 Foundation, except that no acknowledgment (includ-

1 ing the use of a logo, letterhead, or other commercial
 2 symbol of a gift from a for-profit company) shall ap-
 3 pear in any educational material presented to stu-
 4 dents or distributed to schools.”.

5 (d) ADMINISTRATIVE SERVICES AND SUPPORT.—
 6 Section 10(e) of the John H. Chafee Environmental Edu-
 7 cation Act (20 U.S.C. 5509(e)) is repealed.

8 (e) REDESIGNATION.—Section 10 of the John H.
 9 Chafee Environmental Education Act (20 U.S.C. 5509)
 10 is amended by redesignating subsections (f) through (j)
 11 as (e) through (k), respectively.

12 **SEC. 11. ACCOUNTABILITY.**

13 Section 11 of the John H. Chafee Environmental
 14 Education Act (20 U.S.C. 5510) is amended to read as
 15 follows:

16 **“SEC. 11. ACCOUNTABILITY.**

17 “(a) QUALITY INDICATORS.—The Administrator
 18 shall establish indicators of program quality for programs
 19 and activities funded under this Act (other than fellowship
 20 awards funded under section 7).

21 “(b) MINIMUM INDICATORS.—Such indicators of pro-
 22 gram quality, at a minimum, shall—

23 “(1) enhance understanding of the natural and
 24 built environment;

1 “(2) foster a better appreciation of the inter-
2 disciplinary nature of environmental issues and con-
3 ditions;

4 “(3) increase achievement in related areas of
5 national interest, such as mathematics and science;
6 and

7 “(4) include such other indicators as the Ad-
8 ministrator may develop.

9 “(c) BENCHMARKS.—Each local educational agency,
10 college or university, institution of higher education, State
11 educational agency, environmental agency, not-for-profit
12 organization, or noncommercial educational broadcasting
13 entity receiving a grant or entering into a contract or co-
14 operative agreement under this Act (other than fellowship
15 awards under section 7) shall establish objective, rigorous,
16 and quantifiable benchmarks of performance on the indi-
17 cators of program quality under subsection (b).

18 “(d) REPORT.—Each recipient receiving funds under
19 this Act, other than fellowship recipients under section 7,
20 shall report annually to the Administrator regarding
21 progress made in meeting the benchmarks established in
22 subsection (c). The Administrator shall disseminate such
23 information widely to the public through electronic and
24 other means.”.

1 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

2 The John H. Chafee Environmental Education Act
3 (20 U.S.C. 5510) is amended by adding at the end the
4 following:

5 **“SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

6 “(a) IN GENERAL.—There are authorized to be ap-
7 propriated to the Environmental Protection Agency to
8 carry out this Act not more than \$8,000,000 for fiscal
9 year 2001 and such sums as may be necessary for each
10 of the fiscal years 2002 through 2006.

11 “(b) LIMITATIONS.—

12 “(1) IN GENERAL.—Subject to paragraph (2),
13 of the amounts made available under subsection (a)
14 for each fiscal year—

15 “(A) not more than 20 percent may be
16 used for the activities of the Office of Environ-
17 mental Education established under section 4;

18 “(B) not more than 25 percent may be
19 used for the operation of the environmental
20 education and training program under section
21 5;

22 “(C) not less than 43 percent shall be used
23 for environmental education grants under sec-
24 tion 6, of which \$125,000 shall be used to fund
25 the John H. Chafee Memorial Fellowship
26 awards under section 7;

1 “(D) 2 percent shall be used for the teach-
2 ers awards under section 8(b); and

3 “(E) 10 percent shall be used for the ac-
4 tivities of the Foundation under section 10.

5 “(2) ADMINISTRATIVE EXPENSES.—Of the
6 amounts made available under paragraph (1)(A) for
7 each fiscal year, not more than 5 percent may be
8 used for administrative expenses of the Office of En-
9 vironmental Education.

10 “(c) EXPENSE REPORT.—As soon as practicable
11 after the end of each fiscal year, the Administrator shall
12 submit to Congress a report describing in detail the activi-
13 ties for which funds appropriated for the fiscal year were
14 expended.

15 “(d) MATCHING FUNDS.—Funds appropriated pur-
16 suant to this section may be made available to the Na-
17 tional Environmental Learning Foundation to match par-
18 tially or wholly the amount or value of contributions
19 (whether in currency, services, or property) made to the
20 Foundation by private persons and State and local govern-
21 ments if the Administrator determines that such funds will
22 be used to carry out the statutory purposes of the Founda-
23 tion in a manner consistent with the goals, objectives, and
24 programs of this Act.”.

○